

**Notice of Proposed Rulemaking: 2018 General Assembly Package** - On June 22, 2018, the Department of Health and Environmental Control's Bureau of Air Quality (Department) published a Notice of Proposed Regulation in the *State Register*, amending Regulation 61-62, *Air Pollution Control Regulations and Standards*, and the South Carolina Air Quality Implementation Plan (State Implementation Plan or SIP).

Specifically, the Department proposes to amend: Regulation 61-62.1, *Definitions and General Requirements*; Regulation 61-62.5, Standard No. 2, *Ambient Air Quality Standards*; Regulation 61-62.5, Standard No. 5.2, *Control of Oxides of Nitrogen (NO<sub>x</sub>)*; 61-62.5, Regulation 61-62.5, Standard No. 7, *Prevention of Significant Deterioration*; Regulation 61-62.5, Standard No. 7.1, *Nonattainment New Source Review (NSR)*; and Regulation 61-62.70, *Title V Operating Permit Program*.

Pursuant to the federal Clean Air Act ("CAA"), 42 U.S.C. Sections 7401 *et seq.*, and the South Carolina Pollution Control Act, S.C. Code Sections 48-1-10 *et seq.*, the Department proposes amending South Carolina Regulation 61-62, *Air Pollution Control Regulations and Standards*, and the SIP, as follows:

- a. R.61-62.1, Definitions and General Requirements, Section II, Permit Requirements, to expand and improve consistency in language regarding general and registration permits.
- b. The introductory paragraph to R.61-62.5, Standard No. 2, Ambient Air Quality Standards, to remove the sentence describing the test method for Gaseous Fluorides to improve the accuracy and clarity of the regulation's text.
- c. R.61-62.5, Standard No. 5.2, Control of Oxides of Nitrogen (NO<sub>x</sub>), to update applicability and exemptions, as well as to propose corrections for internal consistency, punctuation, codification, and spelling.
- d. R.61-62.5, Standard No. 7, Prevention of Significant Deterioration, to update applicability and exemptions, as well as to propose corrections for consistency with federal regulations, internal consistency, punctuation, codification, and spelling.
- e. R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR), to improve the overall clarity and structure of the regulation, as well as to propose corrections for consistency with federal regulations, internal consistency, punctuation, codification, and spelling.
- f. R.61-62.1, Definitions and General Requirements; R.61-62.5, Standard No. 7, Prevention of Significant Deterioration; R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR); and R.61-62.70, Title V Operating Permit Program, to update public participation procedures.

The Department also proposes other changes to Regulation 61-62, *Air Pollution Control Regulations and Standards*, that may include definitional updates, clarification of certain permitting provisions, and other changes or additions as deemed necessary, as well as corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text of Regulation 61-62 as necessary.

In accordance with S.C. Code Section 1-23-120(A) (Supp. 2016), these amendments will require legislative review.

Please contact Marie Brown at [brownmf@dhec.sc.gov](mailto:brownmf@dhec.sc.gov) if you have any questions. This notice can be found at: [http://www.scstatehouse.gov/state\\_register.php](http://www.scstatehouse.gov/state_register.php).